

03/2014 JW



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**STATE OF DELAWARE**  
**BOARD OF EXAMINERS OF PSYCHOLOGISTS**

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<b>PUBLIC MEETING MINUTES:</b>	<b>BOARD OF EXAMINERS OF PSYCHOLOGISTS</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, March 31, 2014 at 9:00 a.m.</b>
<b>PLACE:</b>	<b>Division of Professional Regulation 861 Silver Lake Blvd., Conference Room A Cannon Bldg., Dover, Delaware 19904</b>
<b>MINUTES FOR APPROVAL:</b>	<b>May 5, 2014</b>

**MEMBERS PRESENT**

Dr. Richard Brokaw, Professional Member, President  
Dr. Wesley Bowman, Professional Member, Vice-President  
Dr. Marcia Halperin, Professional Member  
Dr. Joseph Zingaro, Professional Member  
Victor Kennedy, Public Member  
Dr. Rachel Brandenburg, Professional Member  
Eleanor Allione, Public Member

**MEMBERS ABSENT**

Rosa Robinson, Public Member  
Ronise Ball, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Jennifer Witte, Administrative Specialist II  
Jennifer Singh, Deputy Attorney General  
Lorena Hartnett, Court Reporter

**OTHERS PRESENT**

Richard Galperin  
Janet Miller (Asay)  
Michael Miller  
Courtney Hamilton

**CALL TO ORDER**

Dr. Brokaw called the meeting to order at 9:06 a.m.

## **REVIEW OF MINUTES**

A motion was made by Dr. Halperin, seconded by Dr. Zingaro, to approve the minutes from the January 6, 2014 meeting as presented. The motion was unanimously carried.

## **UNFINISHED BUSINESS**

### **Hearing to Lift Suspension – Janet Asay 9:00 a.m.**

At 9:03 a.m., Ms. Singh called the hearing to lift suspension to order for Janet Asay (now Miller). Verbatim testimony was taken by the court reporter. Ms. Singh stated that the reason for the hearing and had a packet of documents marked as Board Exhibit 1 for the record, which included confirmation of Ms. Asay's attendance and the request from Ms. Miller to lift the suspension of her license. Ms. Singh also had a packet of documents from Ms. Miller marked as Respondant Exhibit 1 for the record which included the compliance to the Board Order. Ms. Miller was represented by counsel. Ms. Miller was sworn in and presented her case to the Board and answered questions from her attorney, Mr. Galperin. The Board went into deliberations. At 4.20 a.m. the Board came out of deliberations. Dr. Bowman made a motion, seconded by Dr. Brocaw, to lift the suspension status for Janet Asay (now Miller) as she has successfully met all terms stipulated by the Final Order. It was added that the Board will accept Ms. Miller's request to inactivate her license. Motion unanimously carried. The hearing went off record at 9:25 a.m.

### **Review of Rules and Regulations**

After review and discussion on the proposed amendments to the Rules and Regulations, a motion was made by Dr. Zingaro, and seconded by Dr. Bowman, to accept the changes and proceed with a public Rules and Regulations hearing at the June 2, 2014 meeting. The motion was unanimously carried.

### **Discussion on Telepractice**

Ms. Singh had the Board clarify that setting of the patient is what determines where the practice of psychology is taking place.

### **Deliberation and Vote on Proposed Addition of Regulation 5.4 – Inactive Status**

A motion was made by Dr. Halperin, seconded by Dr. Brocaw, to accept the proposed addition of Regulation 5.4 on Inactive Status as presented. The motion was unanimously carried.

The Board will schedule a public Rules and Regulations Hearing for the June Board meeting.

### **Review of Post Renewal Audits**

The Board finished reviewing the post renewal audits.

## **NEW BUSINESS**

### **Review of Examination Applications**

After review, a motion was made by Dr. Zingaro, seconded by Dr. Bowman, to approve the examination application of Alison Kaufman. The motion was unanimously carried.

### Review of Psychologist Applications for Licensure by Reciprocity

After review, a motion was made by Dr. Bowman, seconded by Ms. Allione, to approve the Psychologist application of Roseanna Dobkin. The motion was unanimously carried.

### Review of Psychological Assistant Registration Applications

After review, a motion was made by Dr. Brandenburg, seconded by Dr. Zingaro, to approve the psychological assistant registration of Toni Hickman. The motion was unanimously carried.

### Ratification of Examination Applications

A motion was made by Dr. Halperin, seconded by Dr. Zingaro, to approve the ratification of the examination application of Nyemade Cumming. The motion was unanimously carried.

### Review and Consider Recommendation of Chief Hearing Officer

A motion was made by Dr. Zingaro, seconded by Ms. Allione, to accept the Chief Hearing Officers Recommendation for Donna Lentine. Dr. Halperin was recused. The motion was carried by Dr. Bowman, Dr. Brandenburg, Dr. Brocaw and Mr. Kennedy.

### **COMPLAINT STATUS**

26-07-12 – Referred to Attorney General's Office  
26-08-12 – Open  
26-02-13 – Referred to Attorney General's Office  
26-04-13 – Open  
26-05-13 – Referred to Attorney General's Office  
26-07-13 – Open  
26-01-14 – Open  
26-02-14 – Open

### **OTHER BUSINESS BEFORE THE BOARD**

There was no other business before the Board.

### **CORRESPONDENCE**

The Board received an email seeking the Boards opinion on Tarasoff-type laws in regards to Delaware Psychologists. The Board referred this inquiry to the Delaware Psychological Association.

The Board received the 2013 lists of both the Accredited Internship and Postdoctoral Programs for Training in Psychology and the Accredited Doctoral Programs in Professional Psychology.

### **PUBLIC COMMENT**

There was no public comment.

### **NEXT MEETING**

The next meeting will be May 5, 2014 at 9:00 a.m.

### **ADJOURNMENT**

There being no further business, a motion was made by Dr. Zingaro, seconded by Dr. Bowman, to adjourn the meeting at 11:17 a.m. The motion unanimously carried.

Respectfully submitted,

*Jennifer L. Witte*

Administrative Specialist II